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J1132 U.S. PTO

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J1033 U.S. PTO
09/09/2001
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Assistant Commissioner for Patents
Washington, D.C. 20231

Docket No.: MV-532-L

Date: August 23, 2001

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of Inventor(s):

STEVEN GEORGE SKINNER
DONNA LYNN GOODMAN

Note: A patent must be applied for in the name(s) of all of the actual inventor(s). 37 CFR 1.41

For:

**METHOD FOR DIAGNOSING HARDWARE
CONFIGURATION IN A CLUSTERED SYSTEM**

Enclosed are:

1. The Papers Required for Filing Date Under 37 CFR 1.53(b):

36 Pages of specification
1 Pages of Abstract
12 Pages of claims
10 Sheets of drawings
X formal
 informal

In addition to the above papers, there is also attached:

 Pages of an amendment _____

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on this date, August 23, 2001, in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EL070486275US addressed to: Box Patent Application, Assistant Commissioner for Patents , Washington, D.C. 20231.

Carol A. Wasserman

(Type or print name of person mailing paper)

Carol A. Wasserman

(Signature of person mailing paper)

NOTE: Each paper or fee referred to as enclosed herein has the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 CFR 1.10(b).

2. **Declaration or oath**

Enclosed

original

executed by (check all applicable boxes)

inventor(s)

legal representative of inventor(s) 37 CFR 1.42 or 1.43

joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.

This is the petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 also attached. See item 7 below for fee.

Not enclosed

NOTE: Where the filing is a completion in the U.S. of an international application under 35 U.S.C. 371(c)(4), the declaration must be filed.

Application is made by a person authorized under 37 CFR 1.41(c) on behalf of all of the above-named inventor(s). The declaration or oath, along with the surcharge required by 37 CFR 1.16(e) can be filed subsequently.

NOTE: It is important that all the correct inventor(s) are named for filing under CFR 1.41(c) and 1.53(b).

Showing that the filing is authorized. (Not required unless called into question. 37 CFR 1.141(d).

3. **Language**

English

non-English

NOTE: An application including a signed oath or declaration may be filed in a language other than English. A verified English translation of the non-English language application and the processing fee of \$20.00 required by 37 CFR 1.17(K) is required to be filed with the application or within such time as may be set by the Office. 37 CFR 1.52(d).

NOTE: A non-English oath or declaration in the form provided or approved by the PTO need not be translated. 37 CFR 1.60(b).

A verified English translation of the specification is attached.

4. **Assignment**

An assignment of the invention to UNISYS CORPORATION

5. **Certified Copy**

A certified copy of application(s) from which priority is claimed.

NOTE: Must be referred to in oath or declaration. 37 CFR 1.55 and 1.63.

6. Fee Calculation

CLAIMS AS FILED

Number Filed	Number Extra	Rate	Basic Fee
Total Claims -20- -20=	-0- X	\$ 18.00	\$710.00 -0-
Independent Claims -2- -3=	-0- X	\$ 80.00	-0-
Multiple dependent claim(s) if any -0-	-0- X	\$270.00	-0-

Amendment canceling extra claims enclosed
 Amendment deleting multiple dependencies enclosed
 Fee for extra claims not being paid at this time

NOTE: If the fees for extra claims are not paid on filing, they must be paid or the claims canceled by amendment prior to the expiration of time period set for response by the Patent and Trademark Office in any notice of fee deficiency.

37 CFR 1.16(d)

Filing Fee Calculation

\$ 710.00

7.

Small Entity Statement

verified statement that this is a filing by a small entity under 37 CFR 1.9 and 1.27 is attached.

Filing Fee Calculation (50% of above)

\$ _____

8.

Fee Payment Being Made At This Time

Not Enclosed

No filing fee is to be paid at this time. This and the surcharge required by 37 CFR 1.6(e) can be paid subsequently.

NOTE: Where the filing is completion in the U.S. of an international application, the fee must be paid.

Enclosed

basic filing fee \$710.00

recording assignment \$ 40.00

(40.00 37CFR 1.21(h)(j)

petition fee for filing by other than

all the inventors or person on behalf

of the inventor where inventor refused to sign

or cannot be reached. (\$130.00 37 CFR 1.47 and 1.17(h) \$ _____

for processing an application with	
a specification in a non-English language	
(\$20.00; 37 CFR 1.53(d) and 1.17(k))	\$ _____
processing and retention fee	
\$100.00; 37 CFR 1.21(l))	\$ _____

NOTE: 37 CFR 1.21(l) establishes a fee for processing and retaining any application which is abandoned for failing to complete the application pursuant to 37 CFR 1.53(d) and this, as well as the changes to 37 CFR 1.53 and 1.78 indicate that in order to obtain the benefit of a prior U.S. application, either the basic filing fee or the processing and retention fee of §1.21(l) within one year from notification under § 53(d) must be paid.

Total fees enclosed \$750.00

9. Method of Payment of Fees

check in the amount of \$ _____
 charge Account No. 19-3790 in the amount of \$750.00. A duplicate of this transmittal is attached.

NOTE: Fees should be itemized in such a manner that it is clear for which purpose the fees are paid. 37 CFR 1.22(b)

10. Authorization to Charge Additional Fees

NOTE: If no fees are to be paid on filing, the following items should **not** be completed.

WARNING: If these boxes are to be checked, then accurately count claims, especially multiple dependent claims, to avoid unexpected high charges.

The Commissioner is hereby authorized to charge the following additional fees which may be require to Account No. 19-3790.
 37 CFR 1.16 (filing fees and presentation of extra claims)
 37 CFR 1.17 (application processing fees)
 37 CFR 1.18 (issue fee at or before Mailing of Notice of Allowance, pursuant to 37 CFR 1.31(b)).

NOTE: 37 CFR 1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in the application ...prior to pay...issue fee."

11. Instructions As To Overpayment

credit Account No. 19-3790
 refund

Alfred W. Kozak
 Signature of Attorney

Reg. No. 24,265

Alfred W. Kozak
 (Type or print name of attorney)

Tel No. (858) 451-4615

Unisys Corporation
 10850 Via Frontera, MS 1000
 San Diego, CA 92127

**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	SKINNER, STEVEN GEORGE, et al.
Title	METHOD FOR DIAGNOSING HARDWARE CONFIGURATION IN A CLUSTERED SYSTEM
Atty Docket Number	MV-532-L

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

8/23/01

Date

Alfred W. Kozak

Signature

ALFRED W. KOZAK

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**